

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MUMTAZ KUTTY,

Plaintiff,

v.

SAP AMERICA, INC., et al.,

Defendants.

CIVIL ACTION

NO. 19-5251

ORDER

AND NOW, this 10th day of February, 2020, it is **ORDERED** that Defendant SAP America, Inc.'s Motion to Dismiss (ECF No. 8) and Defendant John Insley's Motion to Dismiss (ECF No. 9) are **GRANTED**. Counts 1-4 and 18-22 of Plaintiff Mumtaz Kutty's Complaint (ECF No. 1) are **DISMISSED** against SAP. Counts 3-4 and 19-22 of are **DISMISSED** against Insley and Count 18 is **DISMISSED** with prejudice as against him.

Plaintiff Mumtaz Kutty may amend Counts 1-4 and 18-21 against SAP and Counts 3-4 and 19-21 against Insley on or before **February 24, 2020** if she is able to do so consistent with this Order and the accompanying Memorandum of Law. If Plaintiff files an Amended Complaint, Defendants shall file a responsive pleading within fourteen days thereafter. If Plaintiff elects not to file an Amended Complaint, she shall file a notice of her intent to stand on the remaining claims in her Amended Complaint on or before **February 24, 2020**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.